

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MINDEN AIR CORPORATION,)	3:13-cv-00592-HDM-WGC
)	
Plaintiff,)	<u>MINUTES OF PROCEEDINGS</u>
)	
vs.)	January 27, 2015
)	
CALEDONIAN INSURANCE GROUP, INC, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: Katie Lynn Ogden REPORTER: FTR

COUNSEL FOR PLAINTIFF: William E. Peterson, Esq.

COUNSEL FOR DEFENDANTS: Andrew Joy, Esq obo: Caledonian Insurance Group, Inc. ;

Keith Yamaguchi, Esq., Ann Williams, Esq. and Sara Spratt (telephonically) obo: Starr

Indemnity & Liability Company

MINUTES OF PROCEEDINGS: Motion Hearing

10:06 a.m. Court convenes.

The court convenes to hear oral arguments from counsel relating to Minden Air's Motion to Compel (Doc. # 61) and Starr Indemnity & Liability Company's Motion to Quash Minden Air Corporation's Subpoenas and for a Protective Order (Doc. # 62).

After having discussions, the court finds the following:

A. Minden Air's Motion to Compel (Doc. # 61)

Order: **DENIED**. The court finds both Plaintiff and Defendant have shown a lack of attention to resolve the three (3) specific discovery requests at issue (Request ## 10, 11 and 27). Furthermore, it is the court's observation that there has not been sufficient or adequate meet and confer discussions regarding the three (3) outstanding discovery requests at issue proceeding the filing of the motion itself.

B. Starr Indemnity & Liability Company's Motion to Quash Minden Air Corporation's Subpoena and for a Protective Order (Doc. # 62)

Order: **DENIED in part and GRANTED in part.** The court does not find the documents sought by Minden Air’s subpoena are subject to the work product protection. Defendant’s objections as to the documents sought by plaintiff Minden Air in the subpoena served on “Jim A. Everitt / J2 Engineering, Inc.” are **OVERRULED**, with the exception of # 5 of 10, which is **SUSTAINED**.¹

Defendant shall have up to and including **Tuesday, February 17, 2015**, to produce the documentation. The court indicates that the production of the documentation and any dispute pertaining thereto should be subject to the parties scheduling a meet and confer conference. The documentation to be produced is limited to the subject of the damage arising relative to Minden's aircraft.

The court states it will not be awarding any attorneys' fees or costs relative to either Minden Air's Motion to Compel (Doc. # 61) or Starr Indemnity & Liability Company's Motion to Quash Minden Air Corporation's Subpoenas and for a Protective Order (Doc. # 62).

The court advises the parties to contact Ms. Ogden should the parties have any disputes or issues arise relative to the production of documents relating to the court's orders today. The court will likely schedule an expedited hearing to address the concerns expressed by the parties.

IT IS SO ORDERED.

11:21 a.m. Court adjourns.

LANCE S. WILSON, CLERK

By: /s/
Katie Lynn Ogden, Deputy Clerk

¹The identified subjects of the subpoenas can be found at Doc. # 62-1, pg. 6, and Doc. 62-2, pg. 6.